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DOCKET NO.: JANB-0002/JAB-1442

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Janssens et al.

Confirmation No.: 3436

Serial No.: 09/868,535

Group Art Unit: 1624

Filing Date: July 26, 2001

Examiner: Coleman, Brenda Libby

For: ANTIHISTAMINIC SPIRO COMPOUNDS

DATE OF DEPOSIT: January 27, 2003

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

  
TYPED NAME: David N. Farsiou  
REGISTRATION NO.: 44,104

Box ☐ NON FEE  
☐ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

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FEB 03 2003

TECH CENTER 1600/2900

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated September 27, 2002.
- ☐ An Amendment Supplemental to the Paper filed
- ☐ Other:
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:

01/31/2003 CNGUYEN 00000130 09868535

01 FC:1251

110.00 OP

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☒ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows:
- ☐ Other Material as follows:

## FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	15	(20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$36.00
INDEP. CLAIMS	1	(3 MINIMUM)		\$42 EACH	\$	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$110.00

- ☒ A check in the amount of **\$110.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of September 27, 2002 to and through January 27, 2003 comprising an extension of the shortened statutory period of one month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.

- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.
- ☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

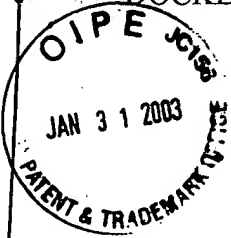
Date: January 27, 2003



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Janssens et al.

U.S. Serial No.: 09/868,535

Group Art Unit: 1624


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For: ANTIHISTAMINIC SPIRO COMPOUNDS

I, David N. Farsiou certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On 1/27/03

  
David N. Farsiou  
Registration No. 44,104

Assistant Commissioner of  
Patents & Trademarks  
Washington, DC 20231

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REPLY UNDER 37 C.F.R. § 1.111  
TO OFFICE ACTION DATED SEPTEMBER 27, 2002

In response to the Office Action mailed September 27, 2002, please amend the application, without prejudice, as follows.

In the Specification

Please insert the following paragraph after the title of the invention:

Cross Reference To Related Applications

B1  
This application is a national stage entry under 35 U.S.C. § 371 of  
PCT/EP99/10176, filed December 15, 1999.